

4-4-1878

Letter from the Secretary of War, transmitting a copy of letters and a telegram from Col. B. H. Grierson, Tenth Cavalry, objecting to the reinstatement or reappointment officers dismissed from the Tenth Cavalry; also, a copy of the report of the Adjutant-General on the subject.

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## LETTER

FROM

# THE SECRETARY OF WAR,

TRANSMITTING

*A copy of letters and a telegram from Col. B. H. Grierson, Tenth Cavalry, objecting to the reinstatement or reappointment of officers dismissed from the Tenth Cavalry; also, a copy of the report of the Adjutant-General on the subject.*

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APRIL 4, 1878.—Referred to the Committee on Military Affairs and ordered to be printed.

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WAR DEPARTMENT,  
*Washington City, April 3, 1878.*

The Secretary of War has the honor to transmit to the United States Senate, for the consideration of the Committee on Military Affairs, copy of letters and telegram from Col. B. H. Grierson, Tenth Cavalry, objecting to the reinstatement or reappointment of officers dismissed from the Tenth Cavalry; also, copy of report of the Adjutant-General on the subject.

GEO. W. McCRARY,  
*Secretary of War.*

The PRESIDENT of the *United States Senate.*

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ADJUTANT-GENERAL'S OFFICE,  
*Washington, March 20, 1878.*

The officers dismissed from the Tenth Cavalry, to whom Colonel Grierson evidently refers, are Capt. George A. Armes, dismissed June 7, 1870; Capt. William L. Foulk, dismissed December, 1873; First Lieut. Thomas J. Spencer, dismissed April 24, 1875.

Spencer has already been restored under authority of a special act, and his resignation has been accepted to take effect June 3, 1878.

An act has passed both houses of Congress for the restoration of Captain Foulk, and its approval has been recommended by the Secretary of War.

The case of Captain Armes has been before Congress every session since his dismissal.

In 1874 an act was passed giving him an honorable discharge (with a year's pay) in lieu of dismissal.

An act providing for his restoration was passed the second session forty-fourth Congress, but as it was not approved, and as Congress adjourned less than ten days after its passage, it did not become a law.

The military committees of both Houses, present Congress, have already reported favorably on a bill empowering the President to reappoint him.

All the record facts, including protest of officers of the Tenth Cavalry adverse to such legislation, have been from time to time furnished the committees.

The proposed law only *authorizes* the President to appoint—he can decline if he sees fit.

Respectfully submitted to the Secretary of War.

E. D. TOWNSEND,  
*Adjutant-General.*

[Through Headquarters Department of Texas.]

HEADQUARTERS TENTH CAVALRY,  
*Fort Concho, Texas, January 7, 1878.*

SIR: I have the honor to request that I may be informed whether the present status of First Lieut. Thomas J. Spencer, Tenth Cavalry, will in any way affect the promotion of First Lieut. Robert G. Smither, and Second Lieut. Thaddeus W. Jones. If so, I recommend that the order accepting the resignation of Lieutenant Spencer be so amended as to accept his resignation previous to December 20, 1877, the date of Captain Little's dismissal.

Lieutenant Spencer should never be promoted in the regiment, as he is absolutely worthless as an officer, and his promotion at this time would delay the advancement of two of the most efficient and worthy officers of the regiment.

B. H. GRIERSON,  
*Colonel Tenth Cavalry, Commanding Regiment.*  
ADJUTANT-GENERAL UNITED STATES ARMY,  
*Washington, D. C.*

The following are copies of indorsements on the foregoing:

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,  
*San Antonio, Texas, January 12, 1878.*

Respectfully forwarded through Headquarters Military Division of the Missouri. Recommendation approved.

E. O. C. ORD,  
*Brigadier-General, United States Army, Commanding.*

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
*Chicago, January 19, 1878.*

Respectfully forwarded to the Adjutant-General of the Army.

P. H. SHERIDAN,  
*Lieutenant-General, Commanding.*

[Through Headquarters Department of Texas.]

HEADQUARTERS TENTH CAVALRY,  
*Fort Concho, Texas, January 21, 1878.*

SIR: I have the honor to recommend, in behalf of the officers of the regiment and for the general good of the service, that the honorable Secretary of War, General of the Army, and Adjutant-General use their influence to prevent the reinstatement or reappointment of officers dismissed from the Tenth Cavalry, unless special recommendation be made in their cases from regimental headquarters.

I am, sir, very respectfully, your obedient servant,

B. H. GRIERSON,

*Colonel Tenth Cavalry, Commanding Regiment.*

ADJUTANT-GENERAL OF THE ARMY,  
*Washington, D. C.*

The following are copies of indorsements on the foregoing:

[First indorsement.]

HEADQUARTERS DEPARTMENT OF TEXAS,  
*San Antonio, Tex., January 25, 1878.*

Respectfully forwarded through Headquarters Military Division of the Missouri.

E. O. C. ORD,

*Brigadier-General, United States Army, Commanding.*

[Second indorsement.]

HEADQUARTERS MILITARY DIVISION OF THE MISSOURI,  
*Chicago, January 30, 1878.*

Respectfully forwarded to the Adjutant-General of the Army.  
In the absence of the Lieutenant-General commanding,

R. C. DRUM,

*Assistant Adjutant-General.*

[Telegram.]

CONCHO, TEX., *March 19, 1878.*

General W. T. SHERMAN, *Washington, D. C.:*

Please prevent the reappointment of any officer dismissed from the Tenth Cavalry. See my official letters forwarded Adjutant-General last January, seventh and twenty-first.

GRIERSON, *Colonel.*

WAR DEPARTMENT,  
ADJUTANT-GENERAL'S OFFICE, *March 28, 1878.*

True copies.

SAML. BRECK,  
*Assistant Adjutant-General.*